

Message Text

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ACTION ARA-10

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C O N F I D E N T I A L SAN JOSE 0044

E.O. 11652: GDS
TAGS: PFOR, CS
SUBJECT: VESCO EXTRADITION: RECHNITZER CASE

REF: A) STATE 000063
B) KILDAY-BOVA TELCON, 1/4/77

1. CARLOS RECHNITZER TOLD EMBASSY DEC. 27 THAT SECOND JUDGE OF INSTRUCTION BEGAN PROCESS OF REQUESTING WHAT HE DESCRIBED AS "DOCUMENTS SUPPORTING THE JANUARY, 1976 GRAND JURY INDICTMENT AGAINST VESCO AND ACCOMPLICES (NO FURTHER SPECIFICATION) THREE MONTHS AGO. RECHNITZER SAYS THAT JUDGE MADE REQUEST THROUGH COSTA RICAN FOREIGN MINISTRY, WHICH, IN TURN, WAS TO HAVE INSTRUCTED THE COSTA RICAN CONSULATE IN NEW YORK TO OBTAIN SAID DOCUMENTS FROM U.S. ATTORNEY RECHNITZER SAID THAT JUDGE HAS RECEIVED NO FURTHER WORD ON THESE DOCUMENTS, AND THAT THEIR NON-RECEIPT IS HOLDING UP THE CASE LOCALLY.

2. RECHNITZER SAID THAT JUDGE QUIROZ HAS NOW BEGUN TO TAKE SWORN TESTIMONY, AND THAT JOSE MARTI FIGUERES HAS ALREADY BEEN CALLED. BOTH SWORN TESTIMONY AND INTERROGATION OF WITNESSES BY JUDGE ARE NOW TAKING PLACE; RECHNITZER ESTIMATES THAT THIS PROCESS WILL TAKE ANOTHER TWO MONTHS.

3. RECHNITZER ALSO EXPLAINED THAT HE HAS TALKED BY
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PHONE AND CORRESPONDED WITH SIMON NUSBAUM, WHOM HE DESCRIBED AS A U.S. ATTORNEY WHO IS REPRESENTING IOS INVESTORS IN THE U.S. RECHNITZER SAYS HE IS KEEPING NUSBAUM INFORMED OF PROGRESS OF HIS CASE. NUSBAUM SUGGESTED, AND RECHNITZER HAS RECENTLY AGREED TO (AFTER CONSULTATION WITH HIS COSTA RICAN COUNSEL), THE ADDITION OF RECHNITZER'S NAME TO THE LIST OF NUSBAUM'S IOS SECURITIES

FRAUD CLIENTS IN THE U.S. RECHNITZER SAYS THAT HE
HAS ASKED NUSBAUM TO OBTAIN DOCUMENTS TO SUPPORT HIS CASE
FROM THE SEC, AND THAT NUSBAUM PROMISED HE WOULD.

4. COMMENT: ALTHOUGH RECHNITZER ALERTED EMBASSY IN SEPTEMBER
TO LOCAL JUDGE'S NEED FOR ADDITIONAL DOCUMENTS (76 SAN JOSE 5098),
EMBASSY HAS RECEIVED NO INDICATION FROM FOREIGN MINISTRY THAT
DOCUMENTS WERE REQUESTED, OR HOW. NEITHER WAS EMBASSY
ASSISTANCE REQUESTED BY EITHER JUDGE OR FOREIGN
MINISTRY IN THIS MATTER.
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